

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

GREGORY PETERSON, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

CALLOWAY LABORATORIES, INC.,

Defendant.

CASE NO. 5-CV-13588-RGS

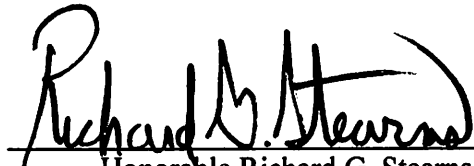
ORDER GRANTING MOTION TO CERTIFY CLASS

AND NOW, upon consideration of Plaintiff's Motion for Class Certification and Related Relief (the "Motion") and any objections thereto, and upon finding that the proposed class meets the requirements of Fed. R. Civ. P. 23(a) and (b)(3), it is hereby ORDERED that:

1. A class is certified and comprising Plaintiff and all other similarly situated former employees, pursuant to 29 U.S.C. § 2104(a)(5) and Fed. R. Civ. P. 23(a) who worked at or reported to Defendant's facility located at 12 Gill Street, Woburn, Massachusetts, who were terminated without cause on or about October 16, 2015, within 30 days of that date, or as the reasonably foreseeable consequence of the mass layoff and/or plant closing ordered by Defendant on or about October 16, 2015, who are affected employees, within the meaning of 29 U.S.C. § 2101(a)(5), and who have not filed a timely request to opt-out of the class;
2. The Class described above meets the requirements of Fed. R. Civ. P. 23(b)(3);
3. Outten & Golden LLP is hereby appointed Class Counsel;
4. Plaintiff Gregory Peterson is hereby appointed the Class Representative;

5. The proposed form of Notice to the Class, attached hereto is approved;
6. Within ten (10) days after the entry of this Order, Defendant shall provide Class Counsel with the names and addresses of the class members as noted in Defendant's records;
7. On or before ten (10) days after receipt from Defendant of the names and addresses of the Class members, Class Counsel shall provide notice of the pendency of the class action lawsuit by mailing the Notice, First Class postage prepaid, to each employee of Defendant who falls within the definition of the class, to their last known address as noted in the records of the Defendant;
8. Within ten (10) days after such mailing, Class Counsel shall serve and file a sworn statement affirming compliance with this Order concerning the mailing of the Notice;
9. The deadline for any Class Member to opt-out of the Class shall be 30 days from the date of mailing of the Notice;
10. Class Counsel shall serve and file a sworn statement listing the names of any persons who have opted out of the Class; and
11. Notice in compliance with this order is hereby found to be the best notice practicable under the circumstances and constitutes due and sufficient notice to all class members in full compliance with the notice requirements of Fed. R. Civ. P. 23.

Dated: April 26, 2016


Honorable Richard G. Stearns
United States District Judge